

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE DISTRICT OF PUERTO RICO

4                   OSVALDO BÁEZ CRUZ et al.,

5                   Plaintiff

6                   v.

CIVIL 09-1088 (JA)

8                   MUNICIPALITY OF DORADO,

9                   Defendant

11                   OPINION AND ORDER

12                  This matter is before the court on motion for leave to file Spanish language  
13 documents filed by defendant Municipality of Dorado on April 11, 2011. (Docket  
14 No. 111.) The motion makes reference to several documents which are submitted  
15 under seal in support of a motion for mistrial filed on the same date. Plaintiffs  
16 have fourteen days, until April 25, 2011, to reply in opposition. See, e.g., Moreno  
17 Rivera v. DHL Global Forwarding, 272 F.R.D. 50, 53 (D.P.R. 2011). A status  
18 conference is scheduled for April 15, 2011.

21                  On July 30, 2010, I issued the following order:

23                  Any party filing a motion in these consolidated cases  
24 other than a dispositive motion shall certify to the court  
25 that a good faith attempt has been made to obtain  
26 concurrence in the relief sought. If the moving party has  
27 obtained concurrence, a statement of concurrence shall  
28 be included in the body of the motion so the court may  
consider it without delay. If concurrence has been  
obtained, the motion shall also contain the words  
"assented-to" in its title. . . . This orders fosters

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3 communication among adversaries and reduces  
4 unnecessary delay in motion resolution.

5 (Docket No. 41.)

6 While the matter may appear trivial, I require compliance with orders which  
7 I enter in order to rule on motions in a timely fashion and also to allow parties to  
8 reach agreements of sorts, without minimizing the nature of the adversarial  
9 process. Indeed, there is strength in attempting resolutions of sorts along the  
10 litigation trial. The required certification is missing. Substitute counsel are to  
11 familiarize themselves with the entire docket, not just with the parts they wish to  
12 recite.

13 The request to submit documents in the Spanish language is denied. The  
14 local rule regarding translations is cast aside in the request based upon the  
15 complexities of the issues presented in the motion for mistrial. Courts are not  
16 places for plebes and complexity, be it in procedure or substance, is the norm, not  
17 the exception. I am not at all sure what translations have to do with complexities  
18 of issues. See United States Dist. Court for the Dist. of P.R., Local Rules, Rule  
19 5(g) (2009). As I recently stated in an unpublished opinion, "I do not choose to

20 ignore the local rule. There have been sufficient admonitions from the court of

21 appeals cautioning, or indeed, prohibiting the reference to untranslated exhibits,

22 Puerto Rico opinions, or testimony in the Spanish language without the

23 corresponding English translation." Mullins v. Dep't of Labor of Puerto Rico, Slip

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3 Copy, 2011 WL 721846, at \*1 (D.P.R. Feb. 24, 2011) (citing Puerto Ricans for  
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P.R. Party v. Dalmau, 544 F.3d 58, 67 (1st Cir. 2008); Ruiz-Rivera v. Pfizer  
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Pharm., LLC, 521 F.3d 76, 85 n.8 (1st Cir. 2008); González-de-Blasini v. Family  
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Dep’t, 377 F.3d 81, 88-89 (1st Cir. 2004); see also First Bank P.R. v. Swift Access  
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Mktg., Inc., 697 F. Supp. 2d 259, 260 (D.P.R. 2010).); see also Arroyo-Pérez v.  
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Demir Group Int’l, --- F. Supp. 2d ----, 2011 WL 92041, at \*4 (D.P.R. Jan. 11,  
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2011).

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11 Finally, the Municipality of Dorado requests a period of time to submit  
12 certified translations. It does not request any specific period and leaves such a  
13 period to the whim of the translator, to the inertia of a monitoring attorney or to  
14 the speculation of the trial judge. Local Rule 6 provides “[a]ll motions for  
15 extension of time shall specifically set forth the purpose of the extension sought,  
16 the expiration date for the period sought to be extended, and the expiration date  
17 of the proposed extension.” Local Rule 6. The rule either applies or does not  
18 apply. If it does not apply, I am in for the never-ending story. If it does apply,  
19 and I believe it does, then again, the substitute attorneys have ignored the same.  
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22 Substitute counsel were hired one week before the penultimate trial  
23 scheduling. The case is not in delay mode and the trial will be held as scheduled  
24 unless a mistrial is declared. In the meantime, counsel are to prepare for trial,  
25 not for mistrial.  
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3 In view of the above, the motion to submit documents in the Spanish  
4 language is denied.  
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6 In San Juan, Puerto Rico this 13th day of April, 2011.

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8 S/ JUSTO ARENAS  
9 RECALLED UNITED STATES MAGISTRATE JUDGE  
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